

July 10, 2014

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on July 10, 2014, 1:00 p.m. Present were Commissioners Kalk, Christmann, and Fedorchak.

Minutes

Mr. Kalk: I move the minutes of June 25, 2014 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-797
Sequoia Energy US Inc.
150MW Border Winds Energy Project -
Rolette County
Siting Application

Mr. Kalk: I move the Commission execute a contract with Carlson McCain, Inc. for construction inspection services concerning the Border Winds Energy Project in Rollette County, North Dakota, Case No. PU-13-127.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-31
Sequoia Energy US Inc. / Border
Winds Energy, LLC
Transfer of Site Certificate
Siting Application

Case No. PU-14-117
AT&T Corp.
v. Broadvox-CLEC, LLC
Complaint

Mr. Kalk: I move the Commission acknowledge the withdrawal by AT&T Corp. of its complaint against Broadvox-CLEC, LLC, Case No. PU-14-117.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-13-802
Selland Construction, Inc.
Damage Prevention Enforcement

Mr. Kalk: I move the Commission find the July 8, 2014 Complaint filed by the North Dakota Public Service Commission Advocacy Staff states a prima facie case and serve the complaint on the Respondent in Public Service Commission, Selland Construction, Inc., Damage Prevention Enforcement, Case No. GS-13-802.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Blaster Certification
Approval

Mr. Kalk: I move the Commission approve new blaster certifications for the following applicants:

No.	Applicant	Affiliation	Certificate No.
1.	Katherine Beardslee	Beulah Mine	14-06-355
2.	Nichole Cusack	Beulah Mine	14-06-356
3.	Roy Braun	Beulah Mine	14-06-357
4.	Michael Gilbertson	Beulah Mine	14-06-358
5.	Mark Schwab	Beulah Mine	14-06-359

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-11-236
Reclamation
Rulemaking

Mr. Kalk: Having received approval from the Attorney General and the federal Office of Surface Mining, I move the Commission adopt the proposed amendments to Section 69-05.2-12-04 of the North Dakota Administrative Code and forward them on to the Legislative Council for publication, in Public Service Commission, Reclamation, Rulemaking, Case No. RC-11-236.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-14-514
Nancy Phelps
Auctioneer
License Application

Mr. Kalk: I move the Commission approve the auctioneer license application for Nancy Phelps, Mandan, North Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-14-515
Robert Bannister
Auctioneer License
Revocation

Mr. Kalk: I move the Commission issue an order in Case No. AU-14-515 revoking auctioneer license number 997 issued to Robert Bannister of Kent, New York effective June 20, 2014 for failing to maintain an adequate bond filing.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-803
Montana-Dakota Utilities Co.,
a Division of MDU
Natural Gas Service Rate Increase
Application

Mr. Kalk: I move the Commission rescind the motion from May 28, 2014 and re-issue an application fee refund to Montana-Dakota Utilities Co., in the amount of \$170,044.01, Case No. PU-13-803.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-243
Otter Tail Power Company
David Barnick- Lamoure County
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in the application of Otter Tail Power Company to extend electric service to David Barnick at a location in Lamoure County, North Dakota, Case No. PU-14-243.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-351
Montana-Dakota Utilities Co.,
a Division of MDU
Tim Wickenheiser- Emmons County
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in the application of Montana-Dakota Utilities Co. to extend electric service to Tim Wickenheiser at a location in Emmons County, North Dakota, Case No. PU-14-351.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-441
Montana-Dakota Utilities Co.,
a Division of MDU
Cogeneration/Small Power Producer
Rates

Mr. Kalk: I move the Commission approve
Montana-Dakota Utilities Co.'s updated Cogeneration/
Small Power Producer rates, Case No. PU-14-441.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-487
Otter Tail Power Company
Clint Campbell - Ramsey County
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue a Notice of
Opportunity for Hearing in the application of Otter Tail
Power Company to extend electric service to Clint
Campbell at a location in Ramsey County, North Dakota,
Case No. PU-14-487.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-13-712
Tom's Backhoe Service, Inc.
Damage Prevention Enforcement

WITHDRAWN

Case No. PU-13-840
Montana-Dakota Utilities /
Otter Tail Power Co.
345kV Transmission Line –
Dickey County
Siting Application

Mr. Kalk: I move the Commission adopt the
Findings of Fact, Conclusions of Law and Order issuing
Certificate of Corridor Compatibility Number 134 and
Route Permit Number 166 to Montana-Dakota Utilities
Co., a Division of MDU Resources Group, Inc. and Otter
Tail Power Company authorizing construction of a
proposed 345 kV electric transmission extending from a
new Ellendale 345 kV substation to the South Dakota
Border in Dickey County, North Dakota, Case No.
PU-13-840.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-121
Allete, Inc.
250kV DC Trans. Line Reroute –
Cass County
Siting Application

Mr. Kalk: I move the Commission adopt the Order
issuing Certificate of Corridor Compatibility Number 155
and Route Permit Number 167 to ALLETE, Inc.
authorizing the reroute 0.7 miles of 250 kV DC Electric
Transmission Line in Cass County, North Dakota, Case
No. PU-14-121.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-142
Otter Tail Power Company
Environmental Cost Recovery
Rates

Ms. Fedorchak: I move the Commission approve
Otter Tail Power Company's Environmental Cost
Recovery Rider, Case No. PU-14-142.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-143
Montana-Dakota Utilities Co.,
a Division of MDU
Environmental Cost Recovery
Rates

Ms. Fedorchak: I move the Commission approve Montana-Dakota Utilities Co.'s Environmental Cost Recovery Rider, Case No. PU-14-143.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-218
ONEOK Rockies Midstream, L.L.C.
Lonesome Creek Gas Plant -
McKenzie County, ND
Siting Application

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order issuing Certificate of Site Compatibility No. 40 in the application of ONEOK Rockies Midstream, L.L.C., Case No. PU-14-218.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-135
Belle Fourche Pipeline Company
10-Inch Crude Oil Pipeline -
Billings, Dunn, Stark Counties
Siting Application

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order issuing Certificate of Corridor Compatibility No. 156 and Route Permit No. 168 in the application of Belle Fourche Pipeline Company, Case No. PU-14-135.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-14-229
Northern Excavating Co., Inc.
(05-06-14 8:57 a.m.)
Damage Prevention Enforcement

Mr. Kalk: I move the Commission appoint Aaron Morman and Patrick Fahn as advocacy staff effective May 12, 2014, in the Public Service Commission damage enforcement action concerning Northern Excavating Co., Inc., Case No. GS-14-229.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-14-230
Northern Excavating Co., Inc.
(04-30-14 1:45 p.m.)
Damage Prevention Enforcement

Mr. Kalk: I move the Commission appoint Aaron Morman and Patrick Fahn as advocacy staff effective May 12, 2014, in the Public Service Commission damage enforcement action concerning Northern Excavating Co., Inc., Case No. GS-14-230.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-14-249
Everett Hall
Damage Prevention Enforcement

Mr. Kalk: I move the Commission appoint Aaron Morman and Patrick Fahn as advocacy staff effective May 23, 2014, in the Public Service Commission damage enforcement action concerning Northern Excavating Co., Inc., Case No. GS-14-249.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-499
Molstad Excavating, Inc.
Damage Prevention Enforcement

Mr. Kalk: I move the Commission appoint Julie Prescott as advocacy staff effective June 30, 2014, in the Public Service Commission damage enforcement action concerning Molstad Excavating, Inc., Case No. PU-14-499.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Salary and Equity Adjustments

Mr. Kalk: I move the Commission, within appropriated budget authority, grant salary and equity increases effective July 1, 2014 to all non-probationary, permanent employees whose documented performance levels met standards as specified in the Accounting Manager's written summary dated July 9, 2014.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 02:35 P.M.

Executive Secretary

BRIAN P. KALK, CHAIRMAN